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Attorneys for Plaintiff COLONIZE MEDIA, INC.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

COLONIZE MEDIA, INC.,

Plaintiff,

v.

TATE A. PALMER, TRIWOLF
MEDIA, LLC and TANGO MULTI
MEDIA PRODUCTIONS, LLC,

Defendants.

Case No. 1:20-cv-01053-DAD-SAB

**DECLARATION OF KEVIN
BERGER IN SUPPORT OF
PLAINTIFF COLONIZE MEDIA,
INC.'S APPLICATION TO SERVE
DEFENDANT TATE A. PALMER
BY PUBLICATION**

Complaint Filed: July 29, 2020

I, Kevin Berger, hereby declare as follows:

1. I am an officer of Colonize Media, Inc.


2. At various times during the course of this lawsuit, I have communicated directly with Hector Villalobos, a principal of Triwolf Media, LLC ("Triwolf"), Tango Multi Media Productions, LLC ("Tango"). In one of these

1 conversations, when I expressed frustration about not having been able to serve Tate
2 A. Palmer ("Palmer"), Mr. Villalobos told me that Palmer was in the office almost
3 every day.

4 3. When I asked for the address of the Los Angeles, California, location
5 of Triwolf and Tango, Mr. Villalobos chose not to share that address.

6 4. This lawsuit and the others referenced in the Application concern the
7 ownership of, and the right to distribute and otherwise exploit, various sound
8 recordings and other assets. Following the execution of the settlement agreement and
9 related agreement by Colonize, Triwolf and Tango, representatives of those parties
10 have been in contact with each other in an effort to resolve conflicting claims to the
11 sound recordings and other assets. I have been a part of that exchange and I have seen
12 numerous emails between the representatives including several emails from Tate, on
13 behalf of Tango.

14 I declare under penalty of perjury under the laws of the State of California, that
15 the foregoing is true and correct. Executed this 19th day of April 2021, at Turlock,
16 California.

17
18 
19 Kevin Berger